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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,426	12/27/2001	George Brookner	ASCO.P-070	8729
21121	7590	07/14/2005	EXAMINER	
OPPEDAHL AND LARSON LLP			WOO, RICHARD SUKYOON	
P O BOX 5068			ART UNIT	PAPER NUMBER
DILLON, CO 80435-5068			3639	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/683,426	BROOKNER
	Examiner	Art Unit
	Richard Woo	3639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 March 2005.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-32 and 37-43 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-32, 37-43 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Response to Arguments***

- 1) Applicant's arguments filed March 22, 2005 have been fully considered but they are not persuasive.

In response to the applicant's argument that Applicant's invention as disclosed by Claim 1 ABSOLUTELY requires as a precondition of purchasing a postal indicium, receipt of information indicative of a purchaser's identity, the examiner invites the applicant's attention to Fig. 3 "Post N Mail License Agreement". Although Kara describes this as one of the preferred embodiment of the registration form, this doesn't necessarily define Kara's registration is not absolutely required to purchase the postal indicum. Without registering a user to the system, the user cannot purchase and print the postal indicium. The registration (legal license agreement) ABSOLUTELY requires as a precondition of purchasing a postal indicium. Accordingly, the applicant's argument that Kara does not show the absolute requirement of the purchaser's identity is moot in view of the above cited reason and Kara's legal license agreement.

In response to Applicant's argument that the examiner just cuts and pastes the rejection of Claim 1 repeatedly through the rejections, the examiner respectfully traverses this. The epitome of the Applicant's invention is the requirement of purchaser's identity as a precondition of purchasing the postal indicium and Kara discloses not only the essential feature of ID requirement, but also discloses "receiving the mail piece at the mail processing center (every mail piece must be received by the mail processing center like USPS", "delivering the mail piece", "the postal indicium

including various information regarding the postal indicium purchaser", as recited in the Claim 1 and Claims 10, 20, 37, 38, 39, and 40, respectively.

In response to the Applicant's argument with respect to Claims 30-31 and 41-43, the examiner invites the applicant's attention to the last two paragraphs of page 10 of Ruat and the first paragraph of Ruat (English version). Ruat discloses the invention in which the system automatically sorts and records mail pieces based on decrypted information appearing on the mail pieces. When the system records the name and address of both recipients and senders, the database MUST contain the list of recipient and senders by recording the pertinent information. Ruat's process of sorting the mail pieces MUST include the step of determining who is the recipient or sender based on the already recorded, decrypted information. Otherwise, why Ruat's invention decrypts and record the sender's information?

2) The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 102***

3) Claims 1-5, 7-14, 16-24, 26-29, and 37-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Kara (US 5,717,597).

As for Claim 1, Kara discloses a method for use with mail piece, comprising: requiring, as a precondition of purchasing at least one postal indicium, receipt of first information about a purchaser's identity (The purchaser of the postage indicium

MUST utilize a smart card (186), which is the certificate for identification of purchaser, so as to utilize the franking machine. Accordingly, the purchaser's identity must be required by whoever issues the smart card and this is a precondition of purchasing at least one postal indicium; see col. 5, lines 26-34; and Fig. 1B);

deriving second information from the first information (by reading it from the smart card);

printing the second information upon the at least one postal indicium (see Figs. 16A-B; col. 16, lines 35-60);

receiving an addressed mail piece with the at least one postal indicium into the mail; and

delivering the mail piece.

As for Claim 2, Kara discloses the method, wherein the postal indicium is an adhesive postage stamp (see Fig. 16A);

As for Claim 3, Kara discloses the method, wherein the postal indicium is a meter strip (see Supra col. 16);

As for Claim 4, Kara discloses the method, wherein the postal indicium is printed on an envelope;

As for Claim 5, Kara further discloses the method, wherein the postal indicium is printed on a post card (see Figs.);

As for Claim 7, Kara discloses the method, wherein the second information is a visibly printed bar code (see supra col. 16);

As for Claim 8, Kara further discloses the method, wherein the second information is a human-readable message (see Id.);

As for Claim 9, Kara discloses the method including number of postal indicia comprising a plurality (see Supra col. 16 for separate indicia), wherein the printing, receiving, and delivering steps are carried out with respect to each of the plurality of indicia.

As for Claim 10, Kara discloses a method for use with mail piece, comprising:

requiring, as a precondition of receiving at least one postal indicium, receipt of first information about a purchaser's identity (The purchaser of the postage indicium MUST utilize a smart card (186), which is the certificate for identification of purchaser, so as to utilize the franking machine. Accordingly, the purchaser's identity must be required by whoever issues the smart card and this is a precondition of purchasing at least one postal indicium; see col. 5, lines 26-34; and Fig. 1B), the postal indicium bear second information derived by electronic computation from first information indicative of the identity of the purchaser (see col. 16, lines 35-60);

receiving an addressed mail piece with the at least one postal indicium into the mail; and

delivering the mail piece.

As for Claim 11, Kara discloses the method, wherein the postal indicium is an adhesive postage stamp (see Fig. 16A);

As for Claim 12, Kara further discloses the method, wherein the indicium is a meter strip (see Supra col. 16);

As for Claim 13, Kara discloses the method, wherein the postal indicium is printed on an envelope;

As for Claim 14, Kara discloses the method, wherein the indicium is printed on a post card (see Figs.);

As for Claim 16, Kara discloses the method, wherein the second information is a visibly printed bar code (see Figs. 16 A-B);

As for Claim 17, Kara further discloses the method, wherein the second information is a human-readable message (see Figs. 16 A-B for the readable message adjacent the indicia);

As for Claim 18, Kara discloses the method including number of postal indicia comprising a plurality (see Supra col. 16 for separate indicia), wherein the printing, receiving, and delivering steps are carried out with respect to each of the plurality of indicia; and

As for Claim 19, Kara discloses the method wherein the information about the identity is cryptographically signed and inherently the postal service checks any cryptographically signed information (see Supra col. 5).

As for Claim 20, Kara discloses a method for use with mail piece, comprising:  
requiring, as a precondition of delivering at least one postal indicium, receipt of first information about a purchaser's identity, the postal indicium bearing second

information derived by electronic computation from first information (The purchaser of the postage indicium MUST utilize a smart card (186), which is the certificate for identification of purchaser, so as to utilize the franking machine. Accordingly, the purchaser's identity must be required by whoever issues the smart card and this is a precondition of purchasing at least one postal indicium; see col. 5, lines 26-34; and Fig. 1B) (see col. 16, lines 35-60);

receiving an addressed mail piece with the at least one postal indicium into the mail; and

delivering the mail piece.

As for Claim 21, Kara discloses the method, wherein the postal indicium is an adhesive postage stamp (see Fig. 16A);

As for Claim 22, Kara further discloses the method, wherein the indicium is a meter strip (see Supra col. 16);

As for Claim 23, Kara discloses the method, wherein the postal indicium is printed on an envelope;

As for Claim 24, Kara further discloses the method, wherein the indicium is printed on a post card (see Figs.);

As for Claim 26, Kara discloses the method, wherein the second information is a visibly printed bar code (see Figs. 16 A-B);

As for Claim 27, Kara further discloses the method, wherein the second information is a human-readable message (see Id.);

As for Claim 28, Kara discloses the method including number of postal indicia comprising a plurality (see Supra col. 16 for separate indicia), wherein the printing, receiving, and delivering steps are carried out with respect to each of the plurality of indicia; and

As for Claim 29, Kara discloses the method wherein the information about the identity is cryptographically signed and inherently the postal service checks any cryptographically signed information (see Supra cols. 5 and 16).

As for Claim 37, Kara discloses an indicium including:

information indicative of a postage amount printed by a first process (see Figs. 16 A-b; col. 16, lines 35-60 for separate indicia);

information indicative of a country printed by the first process (inherently, the system will print the country in section in Figs. 16 A-B if the mailing information should include the specific country);

cryptographically signed information indicative of an identity of a purchaser of the adhesive postal indicium (see Supra col. 16);

the cryptographically signed information printed by a different process than the first process (see Id.).

As for Claim 38, Kara discloses a indicia including:

information indicative of a postage amount printed by a first process (see Figs. 16 A-B; col. 16, lines 35-60);

information indicative of a country printed by the first process (inherently, the system will print the country in section in Fig. 1 if the mailing information should include the specific country);

cryptographically signed information indicative of an identity of a purchaser of the adhesive postal indicium (see Supra col. 16); and

the cryptographically signed information printed by a different process than the first process (see Id.).

As for Claim 39, Kara discloses an apparatus comprising:

a plurality of adhesive indicia including information indicative of a postage amount (see Figs. 16 A-B); and information indicative of a country (inherently, the system will print the country in section in Fig. 1 if the mailing information should include the specific country); and

a printer printing cryptographically signed information indicative of an identity of a purchaser (see Figs. 16 A-B and col. 16, lines 35-60).

As for Claim 40, Kara discloses a method comprising:

receiving information indicative of an identity of a purchaser of the adhesive postal indicia (The purchaser of the postage indicium MUST utilize a smart card (186), which is the certificate for identification of purchaser, so as to utilize the franking machine. Accordingly, the purchaser's identity must be required by whoever issues the

smart card and this is a precondition of purchasing at least one postal indicium; see col. 5, lines 26-34; and Fig. 1B) (see col. 16, lines 35-60);

cryptographically signing the information indicative of the identity of the purchaser of the adhesive postal indicia (see Supra col. 16); and

printing upon the adhesive postal indicia, information indicative of the cryptographically signed information (see Id.).

4) Claims 30-31 and 41-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruat (WO 95/20200).

As for Claim 30, Ruat discloses a method for use with mail piece, comprising: receiving an addressed mail piece with the at least one postal indicium into the mail, the postal indicium bearing information indicative of the identity of the sender (see page 10);

reading the information indicative of the identity of the sender; and determining whether the sender whose identity is indicated by the information is on the list of expected senders (e.g. see the last paragraph of page 10 for the purpose of sorting or recording the mail).

As for Claim 31, Ruat discloses the method wherein the information about the identity is cryptographically signed and inherently the postal service checks any cryptographically signed information (see the 2<sup>nd</sup>, 3<sup>rd</sup>, paragraphs in page 10).

As for Claim 41, Ruat discloses a method comprising:  
receiving a delivered mail piece bearing a postal indicium, the postal indicium bearing second information derived by electronic computation from first information indicative of the identity of the sender (see page 10);  
reading, by the recipient, the second information (see *Id.*); and  
determining, by the recipient, whether the sender whose identity is indicated by the second information is on the list of expected sender (see the last paragraph in page 10 for the purpose of sorting or recording the mail).

As for Claim 42, Ruat further discloses the method, wherein the information indicative of identity that is borne in the postal indicium is cryptographically signed, and the reading step further checks the signature (see the 2<sup>nd</sup>, 3<sup>rd</sup>, paragraphs in page 10).

***Claim Rejections - 35 USC § 103***

5) Claims 6, 15, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kara in view of Windel et al. (US 5,953,426).

Kara discloses the method as recited earlier, but does not expressly disclose the method including the limitations in Claims 6, 15, and 25.

Windel et al. is cited to show a method for use with mail piece, comprising  
wherein the second information is an invisibly printed bar code (as requested by USPS; see col. 46).

Since Kara and Windel et al. are both from the same field of endeavor, the purpose disclosed by Windel et al. would have been well recognized in the pertinent art of Kara.

Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skill in the art, to print an invisible bar code or human readable message, as taught by Windel et al., for the purpose of complying with the postal service's proposals (in col. 46).

6) Claims 32 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruat in view of Windel et al..

Ruat discloses the method as recited earlier, but does not expressly disclose the method including the limitations in Claims 32 and 43.

Windel et al. is cited to show a method for use with mail piece, comprising inspecting the delivered mail piece when the sender is not on the list of expected senders (by opening the mail piece when the sender is not matched with the database; see the summary of the invention for example).

Since Ruat and Windel et al. are both from the same field of endeavor, the purpose disclosed by Windel et al. would have been well recognized in the pertinent art of Ruat.

Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skill in the art, to inspect the delivered mail piece when the sender is not on the list of expected senders, as taught by Windel et al., for the purpose of identifying the true sender by opening the mailing piece when a manipulation is found (see col. 7, lines 32-46).

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Woo whose telephone number is 571-272-6813. The examiner can normally be reached on Monday-Friday from 8:30 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Richard W.*  
Richard Woo  
Art Unit 3639  
July 8, 2005

*John W. Hayes*  
JOHN W. HAYES  
PRIMARY EXAMINER